5235234/2021/ADMIN-DWA,PAO-FIN01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – APWAS- Allowed payments towards labour cess @1% to the agency in violation of Government instructions for the work " Restoration of breached Weir on the right side of Nittur Minor Irrigation Tank near Bramhanapalli(v), Tadipatri(M), Ananthapuramu Dist taken up by Water Resources Department, IB Division, Anantapuramu - Departmental proceedings recommended against Sri Y.V.Malleswara Reddy, the then Pay and Accounts Officer, Ananthapuramu, now JDWA(Retd), for the lapses committed by him - Articles of Charges - Issued.

FINANCE(ADMN-II, DWA, PAO) DEPARTMENT

G.O.Rt. No. 2002 **Dated:26.11.2021**
Read the following:-

1. Vigilance Report no.26(Cno.57-2/V&E/Engg/2018-1) of GA(V&E) Department dt:-09-03-2021
2. G.O.Ms No. 91 Finance(Admn-II, DWA, PAO) Department dtd. 26.11.2021

ORDER:

In pursuance of the sanction accorded by the Government under sub-clause (i) of clause (b) of sub-rule (2) of Rule 9 of the Revised Pension Rules, 1980 for instituting departmental proceedings against Sri Y.V.Malleswara Reddy, the then Pay and Accounts Officer, Ananthapuramu, now JDWA(Retd), in the GO read above. It is proposed to hold an inquiry against the said Sri Y.V.Malleswara Reddy, the then Pay and Accounts Officer, Ananthapuramu, presently JDWA(Retd), in accordance with the procedure laid down in Rule 20 of the A.P.C.S. (CCA) Rules, 1991 on certain allegations leveled against him while working as PAO(WA), Ananthapuramu.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure.I). A statement of the imputations of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure.II). A list of witnesses by whom, list of documents by which, the articles of charge are proposed to be sustained are also enclosed (Annexure III and IV).

3. Sri Y.V.Malleswara Reddy, the then Pay and Accounts Officer, Ananthapuramu, now JDWA(Retd), is directed to submit within 10 days of the receipt of this order a written statement of his defence and also to state whether he desires to be heard in person.

(P.T.O)

4. He is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Y.V.Malleswara Reddy, the then Pay and Accounts Officer, Ananthapuramu, now JDWA(Retd), is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above, or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of Rule 20 of the A.P.C.S. (CCA) Rules, 1991, or the orders/directions issued in pursuance of the said rules, the inquiring authority may hold the inquiry against him ex parte

6. The receipt of this G.O. may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GULZAR.N
SECRETARY TO GOVERNMENT(RM&FP)

To
Sri Y.V.Malleswara Reddy, JDWA(Rtd) through the Director of Works Accounts
Copy to:
The Director of Works Accounts, A.P., Ibrahimpatnam for necessary action
SF/SCs (1559854)

//FORWARDED :: BY ORDER//

SECTION OFFICER

5235234/2021/ADMIN-DWA,PAO-FIN01

ANNEXURE – I

STAEMENT OF ARTICLE OF CHARGE FRAMED AGAINST SRI Y.V. MALLESWARA REDDY. THE THEN PAO(WA),ANANTHAPURAMU,NOW JDWA RETIRED.

CHARGE

That the said Sri Y.V.Malleswara Reddy, while working as PAO(WA), Anantapuramu has allowed payment towards labour cess @1% to the agency in violation of Government instructions for the work " Restoration of breached Weir on the right side of Nittur Minor Irrigation Tank near Bramhanapalli(v), Tadipatri(M), Ananthapuramu Dist taken up by Water Resources Department, IB Division, Anantapuramu .

This amounts to dereliction of duties and disobedience to the Government instructions. Thus he has violated Rule 3(1) of A.P.C.S. Conduct Rules 1964.

GULZAR.N
SECRETARY TO GOVERNMENT(RM&FP)

SECTION OFFICER

ANNEXURE – II

STAEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF THE ARTICLE OF CHARGE FRAMED AGAINST SRI Y.V. MALLESWARA REDDY. THE THEN PAO(WA),ANANTHAPURAMU,NOW JDWA RETIRED.

The V&E officials verified the works taken up by the Water Resources Department , IB Division, Anantapuramu for the work " Restoration of breached Weir on the right side of Nittur Minor Irrigation Tank near Bramhanapalli(v), Tadipatri(M), Ananthapuramu Dist" with a special focus on labour cess with reference to the orders issued through G.O.Ms no.111 of Labour Employment Training & Factories(Lab-II) Department dt:- 15-12-2009.

2. The then PAO(WA), Anantapuramu failed to discharge the statutory duty of verification and proper scrutiny of work bills while making payments with reference to the guidelines issued by the Government from time to time. The PAO(WA) has failed to identify the irregularities in labour cess for the works taken up by the Water Resources Department , IB Division, Anantapuramu and allowed payments towards labour cess @ 1% without proper scrutiny in violation of Government instructions due to which excess amount of Rs.13,16,022/- was paid to the contractor/ agency and held responsible for loss of Government funds.

3. Thus he has violated Rule 3(1) of A.P.C.S. Conduct Rules 1964. This amounts to dereliction of duties.

Hence, the charge.

GULZAR.N
SECRETARY TO GOVERNMENT(RM&FP)

SECTION OFFICER

ANNEXURE-III

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGE FRAMED AGAINST SRI Y.V. MALLESWARA REDDY. THE THEN PAO(WA),ANANTHAPURAMU, NOW JDWA RETIRED ARE PROPOSED TO BE SUSTAINED.

"NIL"

GULZAR.N
SECRETARY TO GOVERNMENT(RM&FP)

SECTION OFFICER

ANNEXURE – IV

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGE FRAMED AGAINST SRI Y.V. MALLESWARA REDDY. THE THEN PAO(WA),ANANTHAPURAMU, NOW JDWA RETIRED ARE PROPOSED TO BE SUSTAINED

1. Vigilance Report no.26(Cno.57-2/V&E/Engg/2018-1) of GA(V&E) Department dt:-09-03-2021.

GULZAR.N
SECRETARY TO GOVERNMENT(RM&FP)

SECTION OFFICER